

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Subject to the approval of the Court, the undersigned parties to this action, by and through their counsel, have stipulated to the entry of this Stipulated Protective Order. This Stipulated Protective Order is without prejudice to and supplements the Stipulated Protective Order agreed to by the parties on January 13, 2005, a copy of which is also furnished herewith for the Court's approval.

ORDER

Becker and or his legal counsel have possession of correspondence and agreements with one or more of the defendants in this matter related to settlement of one or more claims asserted by Becker in this matter, which documents defendants Amyx has requested in his supplemental

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1 discovery requests, answers and objections to which were furnished by Becker on April 20,
2 2005. Amyx believes that the documents in question may bear on the liability, contribution and
3 indemnity rights of defendants Amyx. Becker has agreed to furnish a copy of the requested
4 documents to defendants Amyx, however Becker asserts that certain information contained
5 within such documents is of a proprietary, sensitive, and/or confidential nature.

6 THEREFORE, it is hereby ORDERED:

7 1. Becker shall produce all documents relating to any proposed, prospective or
8 actual settlement of any claim in this matter within one day of entry of this Stipulated Order.
9 Becker shall conspicuously mark all documents containing information of a proprietary,
10 sensitive, and/or confidential nature as "Confidential", and shall mark with a yellow fluorescent
11 highlighter those portions of each such document that are considered by Becker to be
12 proprietary, sensitive, and/or confidential nature.

13 2. The parties to this action receiving a copy of such documents so designated as
14 "Confidential" shall not disclose those portions of the documents designated as "Confidential"
15 except to other parties to this action, their legal counsel and any retained experts who may
16 require access to such documents for purposes of rendering any advise or expert opinion
17 testimony regarding this matter. Any such retained expert must be provided with a copy of this
18 Stipulated Order and provide his agreement in writing to keep the information confidential.

19 3. The portions of the documents designated and marked as "Confidential" as
20 provided herein shall be used only for purposes of this or any related legal action, and shall not
21 be filed with the court unless the marked confidential portions of the documents are redacted,
22 or the document is filed with the court under seal.

23 4. All parties to this action are free to challenge whether sufficient legal and factual
24 grounds exist for the confidential designation of any document or portion of a document
25 designated as "Confidential" by appropriate motion to this court.

Supplemental Stipulated Protective Order - 2
Cause No. CV04-0958

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IT IS SO ORDERED this 16th day of May, 2005.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge

**Supplemental Stipulated Protective Order - 3
Cause No. CV04-0958**

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